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United States District Court Northern District of California

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Notice Re: Noncompliance With Court Order 07-05787 PJH -1-

United States District Court

Northern District of California

Brunet, 07-05787 PJH

Plaintiff(s),

NOTICE RE: NONCOMPLIANCE WITH COURT ORDER

Life Insurance Company of North

America.

٧.

Defendant(s).

The parties have failed to file an ADR Certification and either a Stipulation and [Proposed] Order Selecting an ADR Process or a Notice of Need for ADR Phone Conference as required by the Initial Case Management Scheduling Order. Counsel shall Meet and Confer forthwith in an attempt to agree on an ADR process for this matter. Thereafter, counsel, on behalf of themselves and each party, promptly shall file an ADR Certification and either 1) a Stipulation and [Proposed] Order Selecting ADR Process, or 2) a Notice of Need for ADR Phone Conference (Civil L.R. 16-8(b), ADR L. R. 3-5(b) Civil L.R. 16-8(c), ADR L. R. 3-5(c), (d)). (These forms are available at www.adr.cand.uscourts.gov.)

Further, in accordance with ADR L.R. 3-5(e) counsel shall concurrently provide a copy of all documents filed pursuant to this notice directly to the ADR Unit either by fax

(415-522-4112), hand delivery (ADR Program, USDC, Northern District of California, 450 Golden Gate Avenue, 16th Floor, San Francisco, California), or by PDF attachment to an e-mail directed to adr@cand.uscourts.gov.

It is the responsibility of counsel to schedule an ADR Phone Conference, if required, to occur <u>before</u> the Case Management Conference.

Dated: February 7, 2008

RICHARD W. WIEKING Clerk

by: Timothy J. Smagacz

ADR Administrative Assistant 415-522-4205

Tim_Smagacz@cand.uscourts.gov

PROOF OF SERVICE

Case Name: Brunet v. Life Insurance Company of North America

Case Number: 07-05787 PJH

I declare that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California. I am over the age of eighteen (18) years and not a party to the action. My business address is:

ADR Program
United States District Court
Norther District of California
450 Golden Gate Avenue Floor 16
San Francisco, CA 94102

On February 7, 2008, I served a true and correct copy of:

Notice Re: Noncompliance With Court Order

[X] electronically, I caused said documents to be transmitted using ECF as specified by General Order No. 45 to the following parties:

William Allan Resneck Attorney at Law Two Theatre Square Suite 234 Orinda, CA 94563 Waresneck@aol.com

Dennis J. Rhodes Wilson, Elser, Moskowitz, Edelman & Dicker LLP 525 Market Street 17th Floor San Francisco, CA 94105-2725 dennis.rhodes@wilsonelser.com

Adrienne Clare Publicover Wilson, Elser, Moskowitz, Edelman & Dicker LLP 525 Market Street 17th Floor San Francisco, CA 94105-2722 Adrienne.Publicover@WilsonElser.com

[] by Fac	csimile, I caused said	d documents to	o be transmitted	to the following
parties b	y fax machine:			

[] by U. S. Mail, I placed a true copy in a sealed envelope with postage fully prepaid in the United States Post Office Mail Box in San Francisco, California, addressed as follows:

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on February 7, 2008 in San Francisco, California.

RICHARD W. WIEKING

Clerk

by: Timothy J. Smagacz

ADR Administrative Assistant 415-522-4205

Tim_Smagacz@cand.uscourts.gov